

Rights of Students When Expressing Breastmilk

Overview of Arkansas Breastfeeding Laws:

- **Ark. Stat. Ann § 5-14-112 (2007) Indecent Exposure** - a woman is not in violation of this section for breastfeeding a child in a public place or any place where other individuals are present.
- **Ark. Stat. Ann § 20-27-2001 (2007) Breastfeeding in Public** - a woman may breastfeed a child in a public place or any place where other individuals are present.
- **Ark. Stat. Ann § 11-5-116 (2009) Break time for Expressing Breastmilk** - requires an employer to provide reasonable unpaid break time each day to an employee who needs to express breastmilk for her child and requires an employer to make reasonable effort to provide a private, secure and sanitary room or other location other than a toilet stall where an employee can express her breastmilk.
- **According to the Civil Rights Act of 1964, if a school or university receives federal funding, they cannot discriminate for any reason.**
 - ❖ Not allowing a mother to breastfeed, express, or pump breastmilk in a public area is discrimination.
 - ❖ A college campus is a public area.

Here are some tips to help you:

- **Take advantage of the resources available to you.**
 - ❖ **United States Department of Labor:** provides basic information about the law, the Wage & Hour Division, and the Fair Labor Standard Act, as well as a collection of resources related to lactation in the workplace.
 - www.dol.gov/whd/nursingmothers

Here are some tips to help you (cont'd):

- ❖ **U.S Food and Drug Administration's Breast Pump Website:** provides information on safely choosing and using a breast pump and other general information on breast pumps.
 - www.fda.gov and search "Breast Pumps"
- ❖ **General Breastfeeding Information:** Texas WIC "Every Ounce Counts Campaign" provides breastfeeding information good for moms and babies on; getting prepared, baby's first days, once you get home, working moms, resources and questions.
 - www.breastmilkcounts.com
- ❖ **La Leche League:** get breastfeeding help, learn about breastfeeding and the law, and find resources for health care providers.
 - www.llli.org
- **Prior to your return, give advanced notice to your school, that you will need to take breaks to breastfeed, pump or express breastmilk.**
 - ❖ You should provide this notice to the dean of student affairs (college), guidance counselor and/or school nurse.
 - ❖ You should ask if there is any information or documentation, you could bring with you upon returning to school, to assist with your needs being met.
- **Have a simple conversation between you, the dean of student affairs, guidance counselor and/or school nurse about your need to take breaks for breastfeeding, pumping, or expressing breastmilk.**
 - ❖ This could assist in facilitating the school's ability to make arrangements for you when returning to school.
 - ❖ Arrangements needed are:
 - an appropriate place for the student to breastfeed, pump, or express her milk.
 - the break time to breastfeed, pump or express her milk.
 - ❖ This is your opportunity to inform the school about how the benefits of breastfeeding will also benefit the school.

"The Arkansas WIC Program is an equal opportunity provider and employer."

Breastfeeding Helpline: 1-800-445-6175

Website: www.healthy.arkansas.gov